

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

CIVIL NO. 3:04-CV-344-W

DON HAMRICK,

Plaintiff,

vs.

**DAVID MICHAEL GEORGE,
DRAGAN SAMARDZIC, PATRICK
O'LEARY, JOHN WILLIAMSON,
and JON AHLIN,**

Defendants.

ORDER

Plaintiff's motion for relief from judgment and motion to recuse (Doc. No. 39) is DENIED. If Plaintiff believes that the Court's decision is in error, his attention is directed to Rules 3 and 4 of the Federal Rules of Appellate Procedure for guidance on filing an appeal to the United States Court of Appeals for the Fourth Circuit. If Plaintiff elects to exercise his appeal rights, the Court finds that 28 U.S.C. § 1916 waives the requirement of prepayment of docket fees or furnishing security therefor, and the Clerk of Court is so instructed.

IT IS SO ORDERED.

Signed: November 9, 2006



Frank D. Whitney
United States District Judge

